



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

April 11, 2007

Reply to the attention of Terra Kaethler
ALC File: #1 - 37111

Guy Sims
Birkdale Farm Ltd.
1836 Guthrie Road
Comox, BC V9M 3X7

Dear Mr. Sims:

Re: Application to Include land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 97/2007 outlining the Commission's decision as it relates to the above noted application.

Please be advised that the subject properties are now subject to the *Agricultural Land Commission Act (ALCA) and Regulations*. For more information about these legislations and the Agricultural Land Commission, please visit our website at www.alc.gov.bc.ca.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'E. Karlsen', is written over the printed name below.

Erik Karlsen, Chair

cc: Regional District of Comox-Strathcona (#ALR-2B-06)

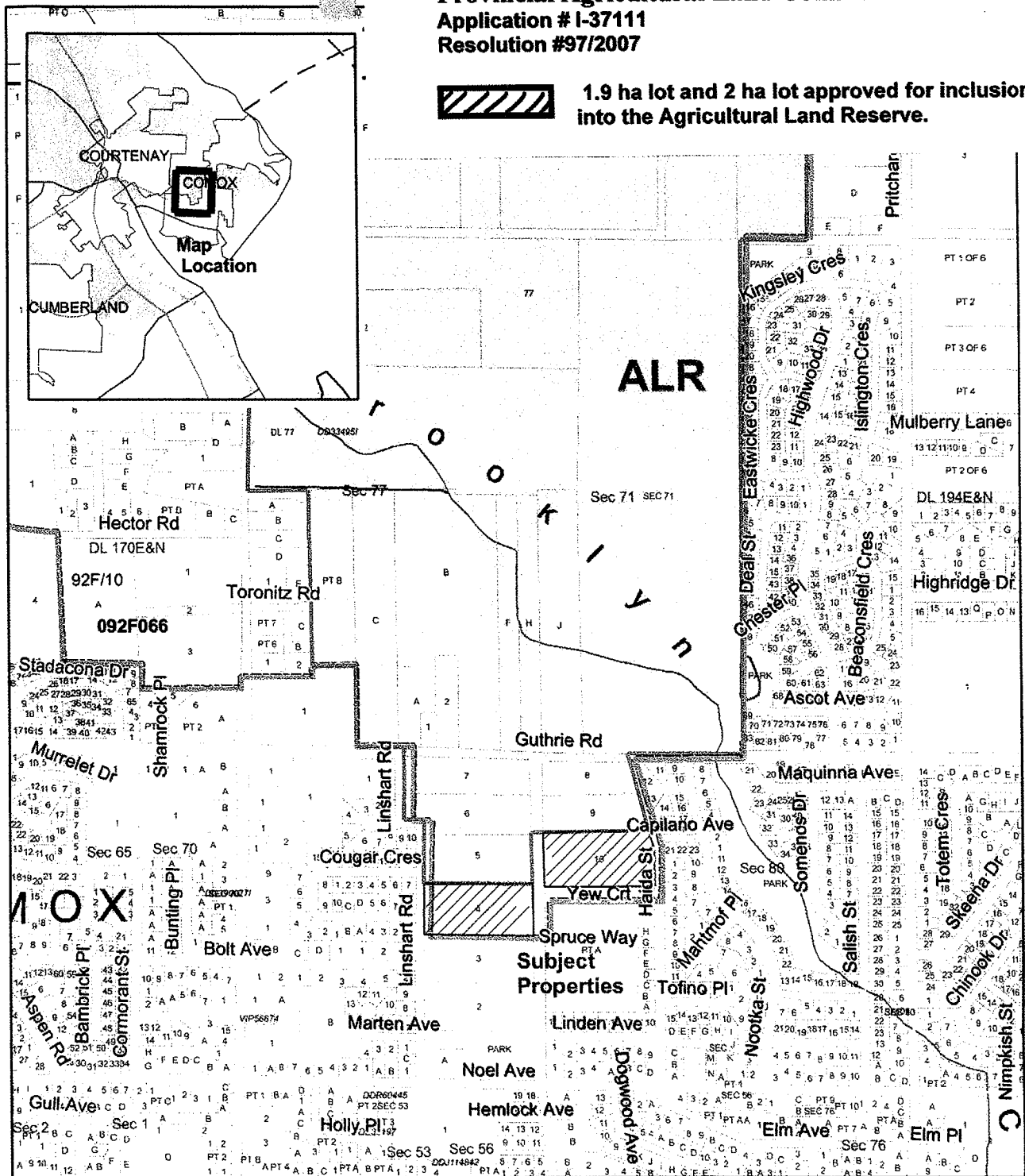
Enclosure: Minutes/Sketch Plan

TK/lv/37111d1

Provincial Agricultural Land Commission
Application # I-37111
Resolution #97/2007

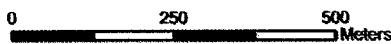


1.9 ha lot and 2 ha lot approved for inclusion into the Agricultural Land Reserve.



ALC Context Map

Map Scale: 1:10,000



ALC File#:	11-06-37111
Map Sheet #:	92F.066
Regional District:	Comox-Strathcona



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 15, 2007 in Courtenay, B.C.

PRESENT:	Lorne Seitz	Chair, Island Panel
	David Craven	Commissioner
	Donald Rugg	Commissioner
	Terra Kaethler	Staff

For Consideration

Application: # I - 37111
Applicant: Birkdale Farm Ltd.
Proposal: To include a 1.9 ha lot and 2 ha lot into the Agricultural Land Reserve.
Legal: PID: 006-734-057
Lot 4, Section 70, Comox District, Plan 1933
Location: 1836 Guthrie Road, Comox

Site Inspection

A site inspection was conducted on March 15, 2007. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Donald Rugg Commissioner
- Terra Kaethler Staff
- Guy Sims Applicant

The Commissioners walked the subject properties of the Birkdale farm and noted that the subject properties are surrounded by residential development with almost no buffer. The applicant stated that including these properties into the ALR would create a better buffer against litter and other rural-urban issues that his operation is faced with. Both properties are part of the current farming operation. One property has been cleared for pasture and hay silage and the other property is used for grazing and as a woodlot.

The Commission recognized that the Birkdale farm has been an important part of the Comox Valley farming community for over 80 years and appreciated the applicant's willingness to include the subject properties into the ALR.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Discussion

Assessment of Agricultural Capability

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The improved agricultural capability of the soil of the subject properties are:

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

The Commission considered that the agricultural capability of the subject properties is similar to the adjacent farm property and that the applicant had improved the soil capability through his farming operation.

Assessment of Agricultural Suitability

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission discussed that while adjacent residential development has the potential to create negative impacts on the farming operation, such as litter, vandalism and trespassing, the subject properties are still suitable for agricultural use. Inclusion into the ALR may protect the subject properties against encroaching development in this area by creating a better buffer from the farm operation.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission believes the inclusion of these properties into the ALR would serve to preserve agriculture land and encourage farming in an area faced with considerable pressure from encroaching development.

Conclusions

1. That the land under application has agricultural capability and would be appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will positively impact agriculture.
4. That the proposal is consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Craven

SECONDED BY: Commissioner Rugg

THAT the application be approved.

And that the applicant be informed that the subject properties are now subject to the *Agricultural Land Commission Act* and the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

CARRIED

Resolution # 97/2007



Staff Report
Application # I – 37111
Applicant: Birkdale Farm Ltd.
Location: Comox

DATE RECEIVED: December 6, 2006

DATE PREPARED: February 27, 2007

TO: Chair and Commissioners – Island Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To include a 1.9 ha lot and 2 ha lot into the Agricultural Land Reserve.

This application is made pursuant to section 17(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Birkdale Farm has been in existence in the Comox Valley since the 1920's. The subject properties have been part of this farming operation since 1935.

Local Government:

Regional District of Comox-Strathcona

Legal Description of Properties:

1. PID: 006-734-057
Lot 4, Section 70, Comox District, Plan 1933
2. PID: 006-734-197
Lot 10, Section 70, Comox District, Plan 1933

Purchase Date:

1935

Location of Properties:

1836 Guthrie Road, Comox

Size of Properties:

3.9 ha (The entire property is in the ALR).

Present use of the Properties:

Lot 4 is pasture and hay silage, Lot 10 is a thin woodlot with some grazing

Surrounding Land Uses:

WEST: Property owned by Birkdale Farm (Lot 10) and single-family residential (Lot 4)
SOUTH: Non-ALR, single-family residential (Lot 10) and undeveloped parcel (Lot 4)
EAST: Non-ALR, single-family residential
NORTH: Other properties owned by Birkdale Farm

Agricultural Capability:

Data Source: Agricultural Capability Map # 92F.066
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

Rural Comox Valley OCP Bylaw No. 2142 (1998)
Designation: Agricultural

Zoning Bylaw and Designation:

Zoning: Comox Valley Zoning Bylaw No. 2781 (2005)
Designation: Country Residential One (CR-1)
Minimum Lot Size: 2.0 ha

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Comox-Strathcona Regional District Board: Forwarded the application with a recommendation of support.

Local Government Staff: Recommend that the application be supported.

OTHER COMMENTS:

Regional Agrologist: The two subject properties are currently treated as part of the farming operation, have similar soils to adjacent ALR properties, and their inclusion would allow the farm to better buffer the effects of urban-rural issues.

Town of Comox: Because of the potential for negative impacts stemming from the nature of certain agricultural activities, against which the residential areas may have no recourse if the subject properties receive ALR protection, the Town requests that the Regional District ensure that appropriate regulations are in place to address the potential land use conflicts that could ensue.

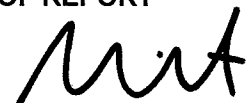
STAFF COMMENTS:

Staff recommends that the application be approved as the properties have agricultural capability.

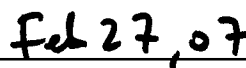
ATTACHMENTS:

- Comox-Strathcona Regional District Staff Report
- ALR context map (1:10,000)
- Air photo (1:5,000)

END OF REPORT



Signature



Date